UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SHIRLEY L. PHELPS-ROPER, *et al.*,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:09-cv-1298-CDP
	)	
CITY OF MANCHESTER, MISSOURI,	)	
	)	
Defendant.	)	

PLAINTIFFS' SECOND MOTION FOR SUMMARY JUDGMENT

Pursuant to Federal Rule of Civil Procedure 56(a) and for the reasons set forth in the memorandum in support of this motion, which is filed herewith, Plaintiffs move this Court for entry of summary judgment against Defendant on Counts I, II, and III of their Second Amended Complaint.

As fully set forth in the accompanying memorandum in support, there are no genuine issues with respect to any material fact as to whether § 210.264 of the Defendant City of Manchester's Code of Ordinances, including the versions enacted on March 5, 2007; September 21, 2009; and October 19, 2009, violates the First Amendment of the United States Constitution, as incorporated to the states and their municipalities by the Fourteenth Amendment, as alleged in the Second Amended Complaint.

Accordingly, Plaintiffs seek summary judgment on each count of their Second Amended Complaint.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on November 25, 2009, the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon the following:

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